

LOUISIANA FEED COMMISSION HEARING
November 20, 2008
10:00am
VETERANS' MEMORIAL AUDITORIUM
5825 Florida Boulevard
Baton Rouge, LA 70806
Minutes

CALL TO ORDER

The hearing was called to order by Fred Bass. Pledge was lead by Dr. Robert Beine
Fred Bass thanked the commission members for coming to the hearing.

ROLL CALL

The roll was called by Cheryl McGee

MEMBERS PRESENT

MEMBERS ABSENT

Fred Bass representing-----	Commissioner Mike Strain
Dr. David Morrison representing-----	Dr. David Boethel
Dr. Charles Hutchison representing-----	Dr. Paul Coriel
Ron Harrell representing-----	Ronald Anderson
T. B. Porter	
Corkey Pleasant representing-----	Warren Harang
Eugene Robertson-----	absent
Danny Cole	
David Williams	
Jeff Smith	
Ray Guidry	

OTHER ATTENDEES

Marvin Montgomery
Lindsey Hunter
Dr. Robert Beine
Dr. Mark LeBlanc
Todd Parker
Cheryl McGee
Lauren Boydston

DECLARATION OF QUORUM

Fred Bass declared a quorum.

APPROVAL OF MINUTES

Fred Bass ask the commission if they have received last year's minutes and if they had any questions. There being no questions, a motion and second to approve of the minutes was made and passed unanimously.

SET NEXT DATE FOR HEARING

Hearing set for November 5, 2009.

OLD BUSINESS

None at this time

HEARING OF CASES

Hearing turned over to Ms. Lindsey Hunter, Hearing Officer from the Attorney General's Office.

Cases were called in two groups: those cases with delinquent pet food tonnage reports for three quarters and four quarter and those with delinquent feed tonnage reports for three quarters and four quarters.

DISMISSED CASES

Case 08-11-05 American MyBeau

Four violations of failing to timely submit tonnage reports.

Case 08-11-12 American MyBeau

Three violations of failing to timely submit tonnage reports.

A letter from the former CEO of American MyBeau stating that the company was no longer in business was submitted and accepted into evidence. The department asked to dismiss both cases since the company was out of business. Mr. Porter moved to dismiss the charges. The motion was seconded by Ms. Pleasant. Motion passed unanimously.

Pet Food Companies with 3 violations with no prior appearances

Case 08-11-01 American Colloid Company

Three violations of failing to timely submit tonnage reports.

A copy of the charge letter with proof of service as well as a signed stipulation were submitted and accepted into evidence. Dr. Morrison moved that American Colloid Company be found guilty and fined \$100.00 per quarter for a total fine of \$300.00. Mr. Smith seconded the motion. Motion passed unanimously.

Case 08-11-02 Chomp Inc.

Three violations of failing to timely submit tonnage reports.

A copy of the charge letter with proof of service as well as a signed stipulation were submitted and accepted into evidence. Dr. Morrison made a motion that Chomp Inc be found guilty and fined \$100.00 per quarter for a total fine of \$300.00. Mr. Smith seconded the motion. Motion passed unanimously.

Pet Food Companies with 3 violations w/ prior appearances

Cases 08-11-03 Scott Pet Products

Three violations of failing to timely submit tonnage reports.

A copy of the charge letter with proof of service as well as a signed stipulation were submitted and accepted into evidence. Mr. Smith made a motion that Scott Pet Products be found guilty and fined \$300.00 per quarter for a total fine of \$900.00. Mr. Cole seconded the motion. Motion passed unanimously.

Pet Food Companies with 4 violations w/no prior appearances

Case 08-11-04 American Health Kennels

Four violations of failing to timely submit tonnage reports.

A copy of the charge letter with proof of service as well as a signed stipulation were submitted and accepted into evidence. Mr. Porter made the motion that American Health Kennels be found guilty and fined \$100.00 per violation for a total fine of \$400.00. Mr. Cole seconded the motion. Motion passed unanimously.

Case 08-11-06 Arkat Nutrition (Pet)

Four violations of failing to timely submit tonnage reports.

A copy of the charge letter with proof of service as well as a signed stipulation were submitted and accepted into evidence. Mr. Porter made the motion that Arkat Nutrition be found guilty and fined \$100.00 per violation for a total fine of \$400.00. Mr. Cole seconded the motion. Motion passed unanimously.

Case 08-11-07 Dogmatic Products

Four violations of failing to timely submit tonnage reports.

A copy of the charge letter with proof of service as well as a signed stipulation were submitted and accepted into evidence. Mr. Porter made the motion that Dogmatic Products be found guilty and fined \$100.00 per violation for a total fine of \$400.00. Mr. Cole seconded the motion. Motion passed unanimously.

Case 08-11-08 International Veterinary Sciences

Four violations of failing to timely submit tonnage reports.

A copy of the charge letter with proof of service as well as a signed stipulation were submitted and accepted into evidence. Mr. Porter made the motion that International Veterinary Sciences be found guilty and fined \$100.00 per violation for a total fine of \$400.00. Mr. Cole seconded the motion. Motion passed unanimously.

Case 08-11-10 Wal-Mart/New Helicon Co.

Four violations of failing to timely submit tonnage reports.

A copy of the charge letter with proof of service as well as a signed stipulation were submitted and accepted into evidence. Mr. Porter made the motion that Wal-Mart/New Helicon Co. be found guilty and fined \$100.00 per violation for a total fine of \$400.00. Mr. Cole seconded the motion. Motion passed unanimously.

Pet Food Companies with 4 violations w/ prior appearances

Case 08-11-09 Omega Paw

Four violations of failing to timely submit tonnage reports.

A copy of the charge letter with proof of service as well as a signed stipulation were submitted and accepted into evidence. Mr. Porter made the motion that Omega Paw be

found guilty and fined \$100.00 per violation for a total fine of \$400.00. Mr. Cole seconded the motion. Motion passed unanimously.

Feed Companies with 3 violations w/ no prior appearances

Case 08-11-13 Consolidate Blenders

Three violations of failing to timely submit tonnage reports.

A copy of the charge letter with proof of service as well as a signed stipulation were submitted and accepted into evidence. Dr. Morrison made the motion that Consolidate Blenders be found guilty and fined \$100.00 per violation for a total fine of \$300.00. Mr. Smith seconded the motion. Motion passed unanimously.

Case 08-11-14 CHS Inc

Three violations of failing to timely submit tonnage reports.

A copy of the charge letter with proof of service as well as a signed stipulation were submitted and accepted into evidence. Dr. Morrison made the motion that CHS Inc be found guilty and fined \$100.00 per violation for a total fine of \$300.00. Mr. Smith seconded the motion. Motion passed unanimously.

Feed Companies with 3 violations w/prior appearances

Case 08-11-11 American Colloid Company

Three violations of failing to timely submit tonnage reports.

A copy of the charge letter with proof of service as well as a signed stipulation were submitted and accepted into evidence. Mr. Smith made the motion that American Colloid Company be found guilty and fined \$200.00 per violation for a total fine of \$600.00. Mr. Cole seconded the motion. Motion passed unanimously.

Feed Companies with 4 violations w/ no prior appearances

Case 08-11-15 Arkat Nutrition

Four violations of failing to timely submit tonnage reports.

A copy of the charge letter with proof of service as well as a signed stipulation were submitted and accepted into evidence. Mr. Porter made the motion that Arkat Nutrition be found guilty and fined \$100.00 per violation for a total fine of \$400.00. Mr. Harrell seconded the motion. Motion passed unanimously.

Case 08-11-16 Tractor Supply/Westway

Four violations of failing to timely submit tonnage reports.

A copy of the charge letter with proof of service as well as a signed stipulation were submitted and accepted into evidence. Mr. Porter made the motion that Tractor Supply/Westway be found guilty and fined \$100.00 per violation for a total fine of \$400.00. Mr. Harrell seconded the motion. Motion passed unanimously.

NEW BUSINESS

Dr. Beine addressed the commission regarding proposals to update the Louisiana feed law and regulations. The commission requested that proposed changes be completed by September of 2009 in order to have time to discuss before the regularly scheduled commission meeting in November. A motion to that effect was made, seconded and approved unanimously.

Dr. Beine announced he will be retiring in at the end of March and thank the Commission Members, Facility and Staff for all their help during his employment.

The Commission members thank Dr. Beine for all his help during years of his service.

Public Comments

None

Motion to Adjourn

Motion to adjourn was given and seconded. Motion passed unanimously.